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E-FILED - 12/23/09

7 Attorneys for Plaintiffs
ARISTOCRAT TECHNOLOGIES AUSTRALIA
8 PTY LIMITED and ARISTOCRAT
TECHNOLOGIES, INC.
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10 IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
11 SAN JOSE DIVISION

12 ARISTOCRAT TECHNOLOGIES
13 AUSTRALIA PTY LIMITED and
14 ARISTOCRAT TECHNOLOGIES, INC.,

15 Plaintiffs,

16 v.

17 INTERNATIONAL GAME
TECHNOLOGY and IGT,

18 Defendants.

Case No. C 06-3717 (RMW)

ELECTRONIC CASE FILING

**STIPULATION AND [XXXXXX D] ORDER
STAYING ACTION AND MODIFYING
SCHEDULING ORDER**

Date: N/A

Time: N/A

Location: Courtroom 6, 4th floor

Before: Hon. Judge Ronald M. Whyte

19 This Stipulation and [Proposed] Order is entered into with reference to the following
20 facts:

21 1. Plaintiffs Aristocrat Technologies Australia Pty Ltd. and Aristocrat Technologies, Inc.
22 and Defendants International Game Technology and IGT met on or about November 19, 2009,
23 and have agreed to request, and do hereby jointly request, that the above-captioned action and all
24 related discovery be stayed for a period of ninety days to allow for discussions between Plaintiffs
25 and Defendants as to the resolution of this case. The parties' intention to stay proceedings
26 includes any obligations related to discovery orders issued by Magistrate Judge Seeborg and the
27 proceedings in Australia presently pending in response to the Letter of Request issued by
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1 Magistrate Judge Seeborg on June 12, 2009. The parties have agreed to instruct Australian
2 counsel as to the stay of Australian proceedings.

3 2. To preserve the *status quo*, Plaintiffs and Defendants also jointly request that all
4 motions or other matters presently under submission to this Court or to Magistrate Judge Seeborg
5 be held in abeyance during that ninety day period and that no order upon any matter presently
6 under submission issue during that period.

7 3. Plaintiffs and Defendants also jointly request that all dates presently reflected on the
8 Scheduling Order for this matter dated June 23, 2009, [Docket 570-1] be vacated. In the event
9 that the parties do not succeed in reaching a full and final settlement of all disputes in this action
10 prior to the expiration of the ninety day stay requested herein, and unless the parties jointly
11 request a further stay, Plaintiffs and Defendants will confer and not later than one hundred days
12 after the date of this Stipulation, will submit to the Court a proposed Amended Scheduling Order.
13 With respect to pending motions as to which the briefing is incomplete and/or as to which a
14 hearing has yet to occur, the parties will confer, agree upon a schedule for the completion of
15 briefing and confer and agree upon dates for hearings on such pending motions upon the earliest
16 dates convenient for the parties and the Court after expiration of said one hundred day period.

17 4. Plaintiffs and Defendants have likewise agreed that the period of stay requested herein
18 shall not inure to the benefit of or to the detriment of either Plaintiffs or Defendants, and that
19 neither the request for nor existence of this stay, nor any communications between counsel, the
20 parties or the Court concerning the request for the stay will be discoverable or admissible in this
21 action.

1 Dated: November 19, 2009

By: /s/ Anthony de Alcuaz

Anthony de Alcuaz
McDERMOTT WILL & EMERY LLP
Attorneys for Plaintiffs
ARISTOCRAT TECHNOLOGIES
AUSTRALIA PTY LIMITED and
ARISTOCRAT TECHNOLOGIES, INC.

6 Dated: November 19, 2009

By: /s/ Jeffrey S. Love

Jeffrey S. Love
Klarquist Sparkman LLP
Attorneys for Defendants
International Game Technology, Inc. and
IGT

12 **ORDER**

13 The Court having read and considered the above Stipulation of the parties, **IT IS**
14 **HEREBY ORDERED:**

- 15 1. This matter and all related discovery shall be, and hereby is stayed for a period of
16 ninety days to allow for settlement communications between the parties.
- 17 2. All dates set forth in the Order Modifying Case Schedule dated June 23, 2009 are
18 vacated.
- 19 3. In the event that this case is not fully and finally settled during said ninety day
20 period, the parties shall confer and submit to the Court not later than one hundred days after the
21 date of this Order a request for a further stay or a proposed case schedule.
- 22 4. During the stay, all motions presently under submission to this Court or to
23 Magistrate Judge Seeborg shall remain under submission. All obligations related to discovery
24 orders issued by Magistrate Judge Seeborg shall be stayed. All hearing dates upon pending
25 motions are vacated. If final settlement does not occur during the period of the stay, the parties
26 shall confer, agree upon a briefing schedule for any pending briefs and upon dates for hearing on
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1 all motions presently pending for hearing and shall submit an appropriate stipulation and
2 proposed order regarding such briefing and hearings.

3 **IT IS SO ORDERED.**

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5 DATED: 12/23/09
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7 RONALD M. WHYTE, JUDGE
8 UNITED STATES DISTRICT COURT
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